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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,826	07/28/2003	Frederico Buchholz Maciel	1213.42974X00	3773
24956 7590 05/21/2007 MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C. 1800 DIAGONAL ROAD SUITE 370 ALEXANDRIA, VA 22314			EXAMINER DAILEY, THOMAS J	
			ART UNIT 2152	PAPER NUMBER
			MAIL DATE 05/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/627,826	Applicant(s) MACIEL ET AL.	
	Examiner Thomas J. Dailey	Art Unit 2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/28/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-11 are pending in this application.

Drawings

2. Figures 9 and 10 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated and in the specification on page 9 it is explicitly stated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." On page 2 of the specification the applicant makes reference to "A Simple Network Management Protocol (SNMP)", Request For Comments 1157. This reference was not listed on a proper information

disclosure statement, nor were any copies received. Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Claim Objections

4. Claims 2-10 recite "A method for managing data processing devices according to claim ..." They should recite "*The* method of claim..."

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Kikuchi et al (US Pub. No. 2002/0001475), hereafter "Kikuchi."
7. As to claim 1, Kikuchi discloses a method for managing data processing devices, which is applied to a system in which a plurality of container mechanisms are provided, each of which contains a plurality of data processing devices ([0024],

copying machines read on container mechanisms), and a management unit is provided which monitors each data processing device to collect information concerning a state of the data processing device ([0036], management server reads on management unit), and orders a management operation to be performed on the data processing device based on the collected information ([0042], lines 10-17),

the method for managing data processing devices (Abstract) comprising:
specifying a container mechanism containing a data processing device on which a management operation needs to be performed ([0025]-[0026], copy machine detects a malfunction, anything that malfunctions reads on a data processing device, and notifies the management server that it needs repair); and
displaying information about the management operation on a specified container mechanism side ([0026]).

8. As to claim 11, Kikuchi discloses a data processing device management system (Abstract), comprising:

a plurality of container mechanisms that each contain a plurality of data processing devices ([0024]);

a monitoring unit that monitors a state of each data processing device in each container mechanism ([0036]); and

a management unit that collects information concerning the state of the data processing device from the monitoring unit via a communication unit ([0036]),

and creates management operation information based on the collected information ([0032], lines 3-9 and [0039], lines 10-15),

wherein each container mechanism is provided with a display unit that displays information from the management unit ([0026]), and

wherein the management unit includes a remote display unit that transmits the management operation information to the display unit of a container mechanism containing a data processing device on which a management operation needs to be performed ([0039], lines 10-15 and [0040], management server sends an email to the mobile phone of a service person with information regarding the copy machine).

9. As to claim 2, Kikuchi discloses informing a result of the management operation to the management unit ([0036], since the management server receives periodic updates from the copy machine, it will inherently be informed of any results).
10. As to claim 3, Kikuchi discloses judging whether an error exists in the informed result of the management operation and, if an error is found, informing the container mechanism side of the occurrence of the error ([0039], lines 10-15 and [0026]).
11. As to claim 4, Kikuchi discloses the management operation information is displayed on a display provided for the container mechanism ([0026]).

12. As to claim 5, Kikuchi discloses one of the data processing devices and the container mechanism includes a wireless communication unit ([0040], lines 1-5), and

wherein the position of the specified container mechanism is identified, the management operation information is transmitted to the wireless communication unit via a relay unit whose communication range contains the identified position of the container mechanism ([0071]), and

the transmitted management operation information is displayed on the container mechanism side ([0040], lines 1-5).

13. As to claim 6, Kikuchi discloses the data processing device is connected to an equipment, which includes a display portion for displaying the management operation information, in a wired or wireless manner ([0040], lines 5-11), and

wherein the management operation information sent to the container mechanism side is transmitted to the equipment and is displayed on the display portion ([0040], lines 5-11).

14. As to claim 7, Kikuchi discloses the equipment is a monitoring agent that is connected to the data processing device and monitors the state of the data processing device ([0030]), and

wherein the management operation information is received by the monitoring agent and is displayed on a display of the monitoring agent ([0040], lines 5-11).

15. As to claim 8, Kikuchi discloses the equipment is a display connected to the data processing device, and wherein the management operation information is received by the data processing device and is displayed on the display ([0040], lines 5-11).

16. As to claim 9, Kikuchi discloses the equipment is a portable terminal including a display portion (Fig. 1, label 60), and

wherein the management operation information is received by the data processing device ([0040], lines 5-11), the data processing device transmits the management operation information to the portable terminal when the portable terminal and the data processing device are connected to each other ([0040], lines 1-5), and the management operation information is displayed on the display portion ([0040], lines 1-5).

17. As to claim 10, Kikuchi discloses the management operation information contains an operation target and an operation procedure ([0071] and [0042], lines 10-17), wherein the specification of the container mechanism is performed by a management apparatus ([0071]), and wherein the displaying of the management

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operation information is performed by a data processing device at a distance from the management apparatus ([0040], lines 1-5).

Conclusion

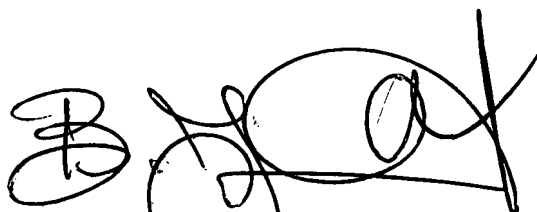
18. For additional prior art made of record and not relied upon and considered pertinent to applicant's disclosure see attached Notice of References Cited, Form PTO-892.
19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Dailey whose telephone number is 571-270-1246. The examiner can normally be reached on Monday thru Friday; 9:00am - 5:00pm.
20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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21. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



TJD
5/10/2007



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